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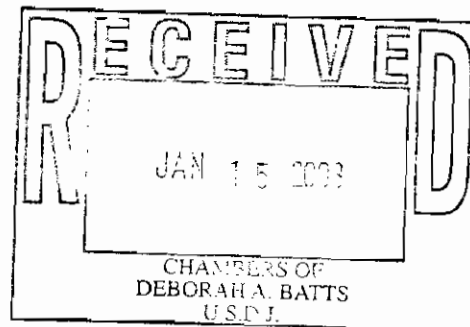
Arthur Z. Schwartz
 Stuart Lichten
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*Also admitted in Pennsylvania

January 14, 2008

By Fax (212-805-7902)
 and First Class Mail

Hon. Deborah A. Batts
 United States District Judge
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl St., Room 2510
 New York, New York 10007



Re: Godoy v. Restaurant Opportunity Center of New York
07 Civ. 7287 (DAB)

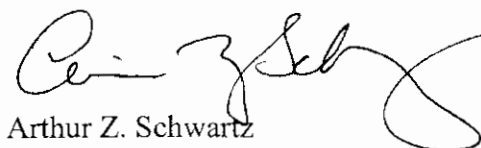
Dear Judge Batts:

We write to request one last extension to file our brief in opposition to the Motion to Dismiss. We have actually filed our brief, via ECF, today (and enclosed, by mail, a courtesy copy). By your most recent order, it was due on December 27, 2007. I was on vacation that week and our secretary then took ill for a week, causing the delay.

We had agreed previously to allow defendants three weeks to reply, so what we ask is that today's filing date (**January 14, 2008**) be approved *nunc pro tunc*, and that defendants then be allowed until **February 5, 2008** to file their reply.

Your consideration is appreciated.

Respectfully submitted,


 Arthur Z. Schwartz

MEMO ENDORSED
 Plaintiffs' late-filed opposition papers
 are hereby accepted.

Further, Defendants shall have until
 February 15, 2008 to file any reply papers
 15/DAB 1/23/2008

SO ORDERED



DEBORAH A. BATTS 1/23/2008
 UNITED STATES DISTRICT JUDGE

AZS:dr

cc: Daniel E. Clifton, Esq. (by fax: 212-419-1510)

MEMO ENDORSED